



## The Three Affiliated Tribes

### Criminal Investigator

*EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER*

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| <b>REPORTS TO: Chief of Police</b><br><b>DEPARTMENT: Law Enforcement</b><br><b>SALARY: \$35/HR</b><br><b>CLASSIFICATION: Non-Exempt</b> | <b>FLSA STATUS: FT Regular</b><br><b>LOCATION: Fort Berthold Reservation</b><br><b>OPENING DATE: March 3, 2016</b><br><b>CLOSING DATE: Open Unit/ Filled</b> |
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This position is subject to **Mandatory** drug testing and a successful background investigation. (Failure to successfully meet these requirements is grounds for termination.)

**POSITION SUMMARY:** The Criminal Investigation program has primary investigative responsibilities for crimes committed on/or involving Indian Country. This includes major federal crimes and state crimes assimilated into the Federal Statutes under Title 18 U.S.C. 1153, including but not limited to; murder, manslaughter, child sexual abuse, kidnapping, rape, assault, arson, burglary, robbery, counterfeiting, embezzlement and organized criminal enterprises affecting gaming and gambling operations or involved in the production, sale or distribution of illegal narcotics, drugs and marijuana within Indian Country.

This position serves as the Tribal Criminal Investigator and is responsible for investigation of the full range of investigative matters ranging from violent major crimes such as rape, robbery and murder to complicated crimes involving finances and/or document trials, such as fraud, embezzlement and gambling or any other crime under the Tribe's jurisdiction.

### **ESSENTIAL DUTIES AND RESPONSIBILITIES:**

1. The Tribal Criminal Investigator is responsible for assisting in the operation of the Three Affiliated Tribes Law Enforcement on the Fort Berthold Indian Reservation and the following duties.
2. Personally conducts and/or directs the complete investigation of all major Federal crime violations provided for the 18 USC 1152 and 1153 pertaining to the Assimilative Crimes Act; 18 USCA 1154 pertaining to Indian liquor laws; 25 USC 1165 pertaining to hunting and fishing; PL 91-513, Sections 401(A), 402 (a) (s), 406 and 408 pertaining to drug enforcement; the Federal Gun Control Act of 1968; and 18 USCA 1341 pertaining to Federal postal regulations.
3. Investigates and enforces Tribal law codified in the Fort Berthold Tribal Code and the Department of Interior regulations codified in 25 CFR 11.
4. Performs special investigations involving the administration of federally funded or operated programs responsibilities, misconduct by Tribal staff and Tribal misuse or theft of funds, and if requested performs background investigations.
5. Assists in planning, development, implementation conducting and evaluating a comprehensive criminal investigation program on the Fort Berthold Reservation, ensuring attainment of approved objectives and priorities.
6. Coordinates, corresponds and consults on program activities with Tribal State Local and other Federal Law Enforcement Agencies and interests on a daily basis. Assures timely,



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accurate and adequate release of information regarding criminal activities of the general public, affected resides of the community, and media by the tribes.

7. When necessary and appropriate, the incumbent will conduct random continuing reviews of major crime reports filed by police officers to verify completeness form accuracy and sufficiency. Facilitates action required to correct report deficiencies and coordinates the development, scheduling and implementation of required training in report writing for police officers with the Chief of Police to ensure competent reports submitted to the U.S. Attorney's Office.
8. Upon satisfactorily attaining the required skills, abilities and knowledge the incumbent will eventually serve as an expert on criminal investigations and judicial services activities, providing advice and assistance to the Tribal Official on such matters routinely. Recommendations made are generally accepted as the basis for decision making by responsible Tribal Officials and other agencies that could apply.
9. Testifies in Tribal, State, Federal and municipal courts regarding criminal cases. Consults with and assists the court judges and prosecuting attorneys regarding the disposition of criminal cases.
10. Upon satisfactorily attaining the required skills, knowledge and abilities the incumbent will eventually plan, develop and execute complex assignments involving undercover and surveillance activities, prevention and control of civil disturbances and violence. Serves arrest warrants and makes on the spot arrests in situations involving violations of Federal or Tribal laws. Serves search warrants and processes crime scenes.

#### **11. And other duties as assigned.**

*NOTE: The duties listed are not intended to be all-inclusive. Duties assigned any individual employee are at the discretion of the appointing authority.*

#### **SUPERVISORY REQUIREMENTS:**

- The requirement for managing others does not exist.

#### **KNOWLEDGE, SKILLS, AND ABILITIES:**

##### Knowledge

- Knowledge of constitutional and legislative protection afforded individuals, including Miranda Rights, civil rights, search, questioning, evidence, invasion of privacy, arrest, suspects, probable cause.
- Comprehensive knowledge of Federal, State and Tribal criminal law; Tribal constitutions, codes, ordinances, pertinent case law; Federal, State and Tribal judicial rules and administrative procedures; and relationships affecting jurisdiction in criminal cases in Indian Country.
- Will become an expert in state-of-the-art knowledge of the principles and techniques of investigation, including the collection and preservation of fragmentary and cold evidence in adverse and complex criminal cases.
- Knowledge or become knowledgeable of Tribal customs, traditions, constitutions and ordinance to enable the protection of Tribal sovereignty and the customs and rights of Indian People.



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- Will become knowledgeable in dealing with wire services, newspaper, and radio and television reports to help them inform the general public without jeopardizing evidence in pending criminal cases.

#### Skills

- Skill, judgment and proficiency in conducting interviews and interrogations and verifying and evaluating information with extreme care and distinguishing between relevant information and evidence.
- Skills and physical conditioning necessary in the use of firearms, defending one's self and subduing suspects whenever required.
- Skills in recognizing sensitive and complex situations and information and in handling them without compromising confidentiality and proficiency in providing testimony in court and depositions.

#### Abilities

- Ability to communicate and work with and gain the confidence of the Tribal leadership and management in executing the program of work.
- The incumbent must exercise independent judgment and great discretion in resolving the complex jurisdictional issues created by the overlapping law enforcement authority, patchwork land base and a mixed, highly mobile population and other jurisdictional issues that might apply.
- Incumbent must possess skills and eligibility to operate government passenger's vehicles in urban areas and on unimproved rural roads.

#### **MINIMUM QUALIFICATIONS AND EDUCATION:**

- A Bachelor's Degree and Basic Police Academy.
- Minimum of five (5) years of law enforcement experience, Bachelor's Degree or one (1) year specialized experience includes Graduate of Criminal Investigators' School.
- Specialized experience that equipped the applicant with the particular knowledge, skills and abilities to perform successfully the duties of the position and it typically in or related to the position to be filled.
- This must have been progressively responsible investigating experience which demonstrated (1) initiative, ingenuity, resourcefulness, and judgment required to collect, assemble and develop fact and other pertinent data; (2) ability to think logically and objectively, to analyze and evaluate facts, evidence, related information and arrive at sound conclusions; (3) skill in written and oral reports and presentations of investigative findings in a clear, concise and impartial manner; (4) tact, discretion and capability for obtaining the cooperation and confidence of others.

#### **GUIDELINES:**

- Guidelines consist of Case Law, BIA Law Enforcement Manual, Code of Federal Regulations, United States Code, Federal Statutes, State and Local Codes, Three Affiliated Tribes Code, Rules of Evidence, Federal Administrative Procedures and Bureau and Tribal Regulations, Directives, Policies and Procedures and others that might apply.

#### **WORKING CONDITIONS AND PHYSICAL DEMANDS:**

- Work is performed indoors and outdoors. Some or most crime incidents and investigative work occurs commonly in remote locations and in adverse weather. Extensive vehicle travel is required in the large geographical area served.
- The incumbent must be physically qualified to defend self and associates from physical assault; subdue, disarm and arrest violent suspects when necessary; work long and difficult



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hours and be available on call for duty on a twenty-four (24) hour basis; drive an automobile at high speeds in emergency situations and traverse difficult terrain in adverse weather; and perform duties in emergencies.

- Incumbent is subject to physical fitness testing.
- Incumbent is subject to medical examinations.
- Must successfully complete the Federal Law Enforcement Training Program for Criminal Investigators in Glynco, GA (Failure to successfully complete this training is grounds for termination.)

**Note:** The statements herein are intended to describe the general nature and level of work being performed by employees, and are not to be construed as an exhaustive list of responsibilities, duties, and skills required of personnel so classified. Furthermore, they do not establish a contract for employment and are subject to change at the discretion of the employer.

Preference will be given to bona fide American Indian applicants in accordance with TAT policies and Federal Indian regulations for such preference.

**THE MANDAN, HIDATSA, ARIKARA TRIBES DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGIOUS PREFERENCE, AGE, HANDICAP, MARITAL STATUS, POLITICAL PREFERENCE, GENETICS OR MEMBERSHIP OR NON-MEMBERSHIP IN AN EMPLOYEE ORGANIZATION, EXCEPT AS ALLOWED BY THE INDIAN PREFERENCE PROVISION OF THE CIVIL RIGHTS ACT OF 1964, AS AMENDED AND NORTH DAKOTA HUMAN RIGHTS ACT.**

**PERSONS OF INDIAN ANCESTRY WHO WISH TO CLAIM INDIAN PREFERENCE SHOULD SUBMIT A COPY OF THEIR TRIBAL ENROLLMENT CERTIFICATE INDICATING THEIR DEGREE OF INDIAN BLOOD AND AGENCY ENROLLED.**

All interested persons must submit the following information:

- \* TAT Application
- \* Copies of
  - Diplomas/Certificates and Transcripts
  - Drivers License & Social Security Card
  - Indian or Veteran Preference documents (If applicable)

Submit all necessary information to the following addresses:

Three Affiliated Tribes/MHA Nation  
Human Resource Department  
404 Frontage Road  
New Town, ND 58763  
Ph# 701-627-4781  
Fax# 701-627-2960

Job Services of North Dakota  
P.O. Box 477  
New Town, ND 58763  
Ph# 701-627-4390